

REMARKS/ARGUMENTS

Claims 5-11 are pending in this application, with claim 5 being the only independent claim. Claims 5 is amended and claim 11 is added. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claims 5, 9, and 10 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,863,291 (Heshmat).

Independent claim 5 recites “a plurality of coplanar flat trap surfaces located between respective pairs of adjacent said grooves such that only one of said flat trap surfaces is arranged between each of the respective pairs of adjacent said grooves” and “a plurality of wedge surfaces located between adjacent pairs of respective said grooves such that only one of said wedge surfaces is arranged between each of the respective pairs of adjacent said grooves, each said wedge surface forming a lubricating oil gap which narrows circumferentially toward an adjacent said flat trap surface and which narrows radially toward said outside circumference such that a shear rate includes a circumferential component and a radial component”.

The Examiner cites col. 7, lines 23-24 of Heshmat as disclosing this feature. That portion of Heshmat states that the scalloped areas 66 have a compound taper. However, Heshmat additionally shows two scalloped areas 66 between each adjacent pair of the oil grooves 67 with a bleeder 68 which allows excess oil to escape. In fact, Heshmat expressly states that excess oil escapes *only* through the bleeders 68 (see col. 7, lines 14-16 of Heshmat). Since Heshmat discloses two scalloped portions, Heshmat fails to anticipate independent claim 5.

Claims 5-10 stand rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 6,024,495 (Loos) in view of Heshmat.

Loos discloses a sealing web 29 arranged at the radial outside region of the wedge surfaces, which indicates that there is still a depth to the wedge surface at the radially outer edge. Accordingly, there is no teaching or suggestion that the wedge surface of Heshmat “narrows radially toward said outside circumference”, as recited in independent claim 5.

Moreover, as stated above, Heshmat also states that excess oil escapes *only* through the bleeders 68. Thus in effect, the radially outer edge of the scalloped areas 66 of Heshmat comprise a sealing web such as the prior art discussed in the present application. Thus, Heshmat suffers the same problems discussed in paragraph [0013] of the present application as filed.

Accordingly, Heshmat fails to disclose teach or suggest “each said wedge surface forming a lubricating oil gap which narrows circumferentially toward an adjacent said flat trap surface and which narrows radially toward said outside circumference such that a shear rate includes a circumferential component and a radial component”, as expressly recited in independent claim 5.

For all of the above reasons, independent claim 5 is allowable over Loos in view of Heshmat.

Dependent claims 6-10 are allowable for the same reasons as is independent claim 5, as well as for the additional recitations contained therein.

New claims 11 recites “a radial flow of lubricating oil in the wedge causes the radial component of the shear rate”. The combined teaching of Heshmat and Loos fail to teach this limitation.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By /Alfred W. Froebrich/
Alfred W. Froebrich
Reg. No. 38,887
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: July 17, 2008